

EXECUTIVE ORDER NO. 98-19

WHEREAS, the Federal Brady Act, Public Law 103-159, requires that a national instant criminal background check system (NICS) for firearm purchasers be established by November 30, 1998; and

WHEREAS, prior to the transfer of a firearm, certain information necessary for a background check must be furnished by a prospective transferee to a transferor (Federal firearms licensee) for use in determining whether receipt of a firearm by the prospective transferee would violate Section 922 (g) or (n) of Title 18, United States Code, or State law; and

WHEREAS, states may agree to serve as points of contact to initiate background checks on individuals purchasing firearms; and

WHEREAS, the South Carolina Law Enforcement Division (SLED) currently performs background checks on prospective handgun purchasers in accordance with the Brady Act to date.

NOW, THEREFORE, in accordance with the Brady Act, I direct SLED to act as the point of contact for NICS inquiries in South Carolina, and to develop and implement a system to expeditiously identify individuals prohibited from receiving any firearm, both handguns and long guns, that would be in violation of Federal or State law. Implementation of this system shall be completed by November 30, 1998.

FURTHERMORE, the Chief of SLED is designated "Chief Law Enforcement Officer" for the State of South Carolina, and all requests made pursuant to the Brady Act shall be made through SLED and its computer interface to the national system. Any background check must be performed in accordance with the Brady Act prior to any sale, delivery, or transfer of a firearm.

This Order shall take effect immediately.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 14TH DAY OF AUGUST, 1998.

DAVID M. BEASLEY
Governor

Last Updated: Tuesday, July 7, 2009 at 11:19 A.M.